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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/056,114 | 01/28/2002 | Eli Entze Liang | 1083-US | 2625 |
| 24505 | 7590 | 02/02/2005 | EXAMINER | |
| DANIEL J SWIRSKY PO BOX 2345 BEIT SHEMESH, 99544 ISRAEL | | | BADII, BEHRANG | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3621 | |

DATE MAILED: 02/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/056,114 | LIANG ET AL. |
| | Examiner | Art Unit |
| | Behrang Badii | 3621 |

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 January 2002.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 28 January 2002 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claims 1-7 have been examined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Ginter et al., U.S. patent application publication 2004/0123129.

As per claim 1, Ginter et al. discloses peer-to-peer file distribution method (abstract; Fig 3a) comprising:

- a) a buyer sending to a seller and an arbitrator a request to receive a file possessed by said seller (paragraphs 0587, 0949 and 1097; Fig's. 51H and 16E);
- b) said seller sending a confirmation of said request to said arbitrator (one that decides determines or judges) (paragraphs 1310 and 1097; Fig. 4);
- c) said arbitrator sending encryption information to said seller (paragraphs 1097, 0903, 0710; Fig. 3b);
said seller:
- d) encrypting said file with said encryption information (paragraphs 1097, 0903, 0710; Fig. 3b);

e) sending said encrypted file to said buyer (paragraphs 0587 and 0903;

Fig 1b);

f) creating a first hash from said encrypted file (paragraph 0923);

g) sending said first hash (key, hash key) to said arbitrator (certifying authority) (paragraphs 1097, 1205, 0903);

said buyer:

h) creating a second hash (key, hash key) from said encrypted file (paragraphs 0587, 0903 and 0923; Fig's. 48 and 15);

i) sending said second hash to said arbitrator (certifying authority) (paragraphs 0587, 0903 and 0923; Fig's. 48 and 15); if said hashes match

(paragraphs 0081, 0087, 1279), said arbitrator:

j) authorizing payment from said buyer to said seller (paragraphs 0903, 1213; Fig's 15 and 48);

k) sending decryption information to said buyer; and said buyer decrypting said encrypted file (paragraphs 0903, 0923 and 0925; Fig 4a).

As per claim 2, Ginter et al. discloses sending watermarking information (paragraphs 0517 and 1020; Fig. 56);

watermarking said file with said watermarking information(paragraphs 0517 and 1020; Fig. 56);

sending said encrypted and watermarked file(paragraphs 0517 and 1020; Fig. 56);

creating a first hash from said encrypted and watermarked file (paragraphs 0517 and 1020; Fig. 56);

creating a second hash from said encrypted and watermarked file (paragraphs 0517 and 1020; Fig. 56);

As per claim 3, Ginter et al. discloses encrypting that which is sent with an encryption key (paragraph 0903) associated with the recipient of that which is sent.

As per claim 4, Ginter et al. discloses decrypting that which is sent using a decryption key operative to decrypt that which is sent (paragraph 0903).

As per claim 5, Ginter et al. discloses signing that which is sent with a signature key associated with the sender of that which is sent (paragraphs 0903 and 1205).

As per claim 6, Ginter et al. discloses verifying the signature of that which is sent (paragraphs 0584, 0784 and 1205).

As per claim 7, Ginter et al. discloses A computer program embodied on a computer-readable medium for peer-to-peer file distribution (abstract; paragraph 1262; Fig. 4a) and comprising:

a code segment operative to send to a seller and an arbitrator a request to receive a file possessed by said seller (paragraphs 0587, 0949 and 1097; Fig's. 51H and 16E);

a code segment operative to receive an encrypted file from said seller (paragraphs 1097, 0903, 0710; Fig. 3b);

a code segment operative to create a hash from said encrypted file (paragraphs 1097, 1205, 0903 and 0923);

a code segment operative to send said hash to an arbitrator (paragraphs 1097, 1205, 0903);

a code segment operative to receive decryption information sent from said arbitrator if said hash matches (paragraphs 0081, 9987 and 1279) a second hash at said arbitrator (paragraphs 0903, 0923 and 0925; Fig 4a); and

a code segment operative to decrypt said encrypted file using said decryption information (paragraphs 0903, 0923 and 0925; Fig 4a).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Martinez et al. (U.S. patent 6,119,229) discloses a digital object ownership system. The system includes a plurality of user terminals, where each terminal is accessible by at least one individual user.

Herman et al. (U.S. patent 6,341,353) discloses a smart electronic receipt system that provides intelligent receipts, called Smart Receipts, that electronically document a transaction between two parties and maintains a persistent connection between the two parties following a successful online transaction.

Gupta (U.S. patent application publication 2002/0091640) discloses a document transfer system enabling a consumer to obtain a document from an owner upon payment uses a cryptographic protocol involving the consumer, the owner, a document source, such as a printer, and a mediator.

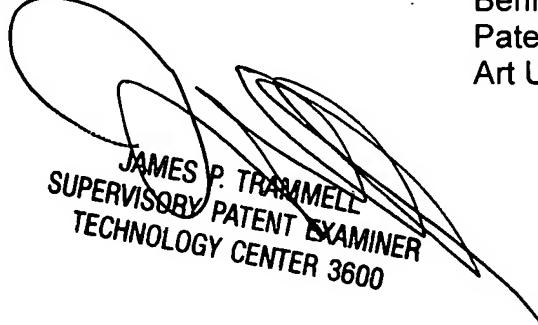
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Behrang Badii whose telephone number is 703-305-0530. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Behrang Badii
Patent Examiner
Art Unit 3621

BB



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